

# **Silver Spring Urban District Advisory Committee Meeting**

## **Summary**

### **February 19, 2009**

**Members Present:** Jon Lourie, Bob Middleton, Carmen Camacho, Nancy Schwiesow, Jennifer Nettles, Neal Blake Robert Zeender

**Members Absent:** Mary Pat Spon and Kay Weston

**Guest:** Lt. Carter, Jason Tomassin, Jane Redicker, Manny Hidalo, Jennifer Desco, Tim Rodriguez, Daniel Parra, Emily Adelman, Janna Howley, Mary Reardon, Wayne Goldstein, Jason Goldblatt, Jody Kline, Rick Siebert, Rick Donnally and Don Hague

**Staff:** Gary Stith, Vicki Lockerman, Yvette Freeman and Susan Hoffmann

**Welcome/Introduction** – Jon Lourie called the meeting to order at 3:30 p.m.

**Motion:** (Camacho, Nettles) the Silver Spring Urban District Advisory Committee approved the January 2009 minutes.

#### **Farmers Market Annual Report**

Janna Howley, FreshFarm Market gave a brief overview as follows:

- Farmer sales increased over 50% over 2007. Thanks to Petersons for allowing us to move onto the Pedestrian Plaza. Customer accounts went up 80%, we added two farmer producers this past season and will add two to three more in 2009. We were open for 31 Saturday's this past season and are extending it this season from April 18 –December 19<sup>th</sup> and close on November 21 for the Thanksgiving parade.
- Thanks to Jackie and Freddie, Silver Spring Urban District staff, for their help during the season.
- Our gleaning partner is Through the Kitchen Door which is a fantastic non-profit that provides sustainable life skills, empowerment and professional training utilizing culinary arts and techniques to empower teenagers and adults (primarily recent immigrant and low-income women). *(For complete details refer to Section 2 of the February packet)*

#### **Police Update**

Lt. Robert Carter, Deputy Director, Family Crimes Division for Montgomery County Police reported that:

- Chief Manger announced his three point plan to attack repeat offending crime in Montgomery County as follows:
  - Change to Immigration Policy** – make referrals to federal immigration agents for any person that we have probable cause to believe is in this Country illegally and committing violent crimes or arrested for handgun possession. We are not concerned about immigration status if you are hard working, trying to raise your family and assimilate with the main stream of American Culture but if you are here illegally, commit a crime of violence or arrested for handgun possession and are caught, we will contact ICE to do their job.
  - Treating Juveniles differently**- make an effort to change the policy on holding juveniles who are repeat offenders and mirror a recent successful effort by Baltimore County.
  - Good Behavior** - to make sure inmates serve longer sentences because inmates can cut their prison term in half through good behavior This system of “diminution credit came under fire after a murder happen by a repeat violent offender who got out of jail after serving six of the 12 year sentence.
- We are working with the Department of Juvenile Services (DJS) for the State of Maryland to change their Risk Assessment Instrument so certain categories of juvenile offenders can be held over post-arrest and detained pending trial. The State employs a contractor after hours that uses a check sheet with scoring factors that determines whether a juvenile should be held or not. They review the criminal history, the event in question and whether it involves violence, has the juvenile been seen previously by (DJS), are they on probation, did they fail to appear in court. Baltimore County Department Juvenile Services for the State of Maryland has a Risk Assessment Instrument we like and they have experienced crime trends like Montgomery County with robberies and auto thefts. In order to send a clear message to these juveniles that this behavior will not be tolerated they created what they call “special decisions” within the Risk Assessment Instrument. If a child uses a replica of a handgun in the commission of a robbery normally they are not detained but under Baltimore County Risk Assessment Instrument they

are. Currently, the only "*special condition*" for Montgomery County is to detain any child involved in three or more thefts from auto in a 90 day time period.

- The County Executive held a meeting that I attended and one thing voiced was we don't want to increase these standards and have a disproportionate number of children of color and ethnicity being detained. Probably 80% of the committee was good with what we are proposing specifically because we are targeting behaviors of violence and not people.
- Department of Juvenile Services provided contact information for State Supervisors that the Police can call and explain that they tried to call the contract worker to get this case screened to detain the juvenile but they did not meet the standard and we ask them to override the decision. The Police Department needs to do a better job internally in screening juveniles post-arrest and determine if we should make a referral to DJS.
- When a juvenile is arrested depending on the criteria they are either released to their parent or he/she is placed in a secure detention facility. The Department of Juvenile Services has a program called community detention and basically that is house arrest and they have a variety of tools they can use to include telephone checks with voice recognition, ankle bracelet without GPS, proximity devices or real-time GPS devices to track the juvenile movements if they are in community detention. If they are in secure detention they are only held for one day, they appear before a judge and there is basically a de facto bond review. They are placed at the Alfred Nod Detention Center, Rockville. DJS has done some quick recognition especially with the contractors and they have disciplined the contractor service with fines and one contractor was terminated.
- There are two components statistical analysis which DJS does their own reviewing to see if there is a robbery and auto theft problem in Montgomery County and the second part is community buy-in. Next Thursday, the State of Maryland Department Juvenile Services is meeting with the County Executive's Criminal Justice Coordination Committee in Rockville and at that hearing they will look for community buy-in. I am asking this Committee to e-mail the two Co-Chairs of that committee and express an opinion on the issue. Jeff Williams, [Jeff.Williams@collaborationcouncil.org](mailto:Jeff.Williams@collaborationcouncil.org) and the other is Michael Subin, [Michael.Subin@montgomerycountymd.gov](mailto:Michael.Subin@montgomerycountymd.gov). If you find my position favorable explain that the Silver Spring Urban District Advisory Committee endorses Chief Manger plan recommendation to amend the Risk Assessment Instrument.

**Motion:** (Blake, Nettles) the Silver Spring Urban District Advisory Committee voted in favor of a letter be written endorsing Chief Manger's proposed plan in recommendation for the State Department, Department Juvenile Services to amend their local Risk Assessment Instrument.

### **Falkland Apartment Historic Designation**

Don Hague, Home Properties gave the following overview on Falkland North as follows:

- Three parcels totaling 27 acres with 450 rental apartments has been is owned by Home Properties since 2003. The North parcel zoned CBD-R1 allows for mixed use, primarily residential, development at 3.0 FAR with 125 units acre.
- We plan to redevelop the north parcel with approximately 1,000 apartments and 60-70,000 square feet of retail. Harris Teeter is committed as grocery store if design will accommodate. Substantial community benefit includes affordable housing; South Parcel Park; expanded diversity of housing and retail opportunities; reservation of Purple Line right of way at no cost. We agree to place South and West on Master Plan, represents 60% of units and 67% of land area, and invest in these parcels to preserve, buildings, insulate units, enhance grounds
- The Planning Boards unanimous recommendation in September was to place South and West Parcels on Historic Master Plan and allow redevelopment to occur on the North Parcel in accordance with the Sector Plan and zoning. Staff negotiated covenant with Home Properties that commits us to provide benefits beyond typical optical method requirements (South Parcel Park and Silver LEED certification, as examples) and allow staff and Board input in design.
- The Public Hearing is March 10, PHED Committee, March 23 and 30, expect vote in April. We are asking this Committee for support of the Planning Board recommendation. County Council approves what is on the Master Plan and the Planning Board control the Locational Atlas. The question is will Council look only at the South and West or all three. They could look at the Planning Boards recommendation and nothing beyond, it could remain on the Locational Atlas and we proceed with the redevelopment plan once the project and final site plan are approved the redevelopment occurs. (*For complete details of project refer to handout distributed*).

### **Community Comment**

Nancy Reardon on behalf of the Silver Spring Historic Society urged the Silver Spring Urban District Advisory Committee not support the Planning Board recommendation on the Falklands Apartment. This

is a complicated issue and Council has final say on the designation. The Planning Board voted that the Falkland was worthy of designation and they had a separate hearing to look at other things.

Wayne Goldstein commented that the Planning Board claims it can weigh and balance Historic Preservation with other public policies when they consider and they did not do this. I used as a model the weigh and balancing done when they considered whether to historically designate the Montgomery Arms Apartments in the early 1990. I took the public policies they used and matched them in every way to the Falklands and built a record based on that. To summarize concerning the housing policy of Silver Spring CBD and the Sector Plan we are meeting the housing goals in other parts of the CBD using sites never considered for housing and because of that the need for housing that they claim for Falklands north has been met in other areas and will continue to be met, therefore you don't need to meet the housing goals using the Falklands.

**Motion:** (Blake, Camacho) the Silver Spring Urban District Advisory Committee agreed to write a letter supporting the recommendation of the Montgomery County Planning Board that would designate the south and west parcels of the Falkland Apartments to be in the Master Plan for Historic Preservation. They also support their recommendation that the north parcel be left on the Locational Atlas until a Site Plan for the redevelopment of this parcel is approved. *(6 in favor, 1 opposed and 1 abstention)*

### **8621 Georgia Avenue**

Jody Kline, Jason Goldblatt, Trim Rodriquez, Rick Donnally gave a brief overview and showed drawings of the project as follows:

- Willco Companies is one of the leading commercial property developers in the Washington, DC metropolitan area. Willco is actively involved in the asset and property management of more than 6,000,000 square feet of first class office buildings, hotels, shopping centers and mixed-use facilities throughout Washington, DC, Maryland and Virginia. We have not filed anything and will come back to this Committee when we file our application.
- Willco Companies is developing a 190,000 square foot, Class A office building in downtown, CBD Silver Spring, Maryland at the corner of Georgia Avenue and Colesville Road. It will likely include approximately 6,000 square feet of ground floor, trophy retail space serving the surrounding neighborhood. It will include approximately 300 parking spaces and its estimated delivery is 2nd Quarter of 2011. The site offers an ideal build-to-suit opportunity two blocks from the Silver Spring Transit Hub and Metro Station and within one mile of the border with the District of Columbia. The building will be at least LEED Silver and will try for a higher level. The building is about 80% green roofs, balcony terraces on top two floors and these are just images of how the building fits in with the adjacent building. We have worked out an agreement with Lee Development for their future development where we can bring the trucks in off of Georgia Avenue and not have the loading docks facing Georgia Avenue.
- We agreed to provide approximately 7% public use space and the rest is contribution. The project created a courtyard space and we work with artist and the way retail was located was to really try and activate the space.
- We intend to file shortly, the project is market driven and we don't plan to build by spec. We are doing preliminary marketing and trying to attract tenants. We are working with an artist to introduce art as a way of activating space and using the wall to make it a focal point to attract people to the space. Lee Development and Willco companies are working together so the design flows between the two buildings.
- Once we receive a final agreement from Park and Planning who will more than likely have suggestions we will present the project to this Committee and if members agree with what we present we would request a letter of recommendation to the Planning Board.

### **Buy Local Silver Spring**

Emily Adelman, Local First Program Manager for the Latino Economic Development Corporation, (LEDC) reported that:

- In 2008 LEDC proposed a project to Montgomery County Council to expand a project that we have been working on in DC which is locally owned independent businesses on consumer education about shifting some of their purchases and supporting local businesses so that the economy is based on the multiplier fact which is a business that has local ownership and does not have publicly traded owners spread over the country is more likely to spend more, make more business to business transaction and have a stronger tax base in the community.
- Montgomery County Council approved a grant for us to work on a campaign in Silver Spring and Wheaton. We started last year developing a strategy of how to do this in downtown Silver Spring and received help from some people here and volunteers. We determined the geographic area be the Urban District to give it more of a neighborhood focus. On the basic survey we figured there are 300 at least if not more of locally owned independent businesses in the Urban District and we wanted to give it more of a neighborhood focus than an entire expansive area.

Locally owned is a privately held company with 50% or more ownership that live in the DC metro area and we focus on commercial storefront businesses not necessarily the personal from the non- local corporations, typically in a franchise there are purchase requirements. The professional services and office buildings. Independent meaning they operate independently business sign-up on a volunteer basis and we put together the guide and we had approximately 209 businesses. The purpose of the guide is to educate people that live, work and visitors on the Buy-Local concept. The concept is purchasing local has a positive impact on the community. We launched the project at Jackie's Restaurant and about 100 people from the community attend. We had another event in collaboration with the Marketing Committee, Police, Peterson Downtown Silver Spring, Greater Silver Spring Chamber Commerce and 19 businesses helped us to promote special discounts and events happening in Silver Spring. 14 businesses where local in downtown Silver Spring. We printed 10,000 guides and have distributed half of those guides in apartment buildings, Regional Center, Trips Transit Store and several other businesses. You can visit the website [www.buylocalsilverspring.com](http://www.buylocalsilverspring.com).

- People have asked about business to business and service businesses and whether we can do some type of local sourcing network with that.
- On March 7, at Pyramid Atlantic Arts Center we are having a make your own T-Shirt event with a design competition.

### **Discussion:**

Carmen Camacho stated that her concern was the criteria for how they went about selecting the businesses because some local business where not included. There are national chains that are locally owned and are franchises and pay franchise fee but they still pay state, local taxes, hire local people and spend in the community. They don't always buy from their national chain they buy locally. We have someone with a local franchise that is very active in the community, pays a lot of taxes. Your group received \$70,000.00 dollars from County Council to put 10,000 guides out and not include that business nor my businesses and I've been in Silver Spring for 32 years and pay taxes and it is unfair.

Manny Hidalgo responded that it was \$50,000.00 dollars and there is a lot of money that went into organizing, outreach, technical assistance, relationships that lead to micro borrowers to say \$50,000.00 dollars to create 10,000 is unfair. In Silver Spring there is a growing concern about the local owned businesses that have not had nearly the economy assistance that a lot of the chains have had and yet economically speaking more money stays in the community but it is a locally owned business.

Jennifer Nettles stated that with the downtown development there are a lot of local people there. We worked with Emily and when this program started Councilmember Ervin came to us and we have been very supportive.

Ernest Bland stated his business supports and utilizes a number of local businesses like Minutemen. I like the idea although there are some underlying issues that I am not familiar with. If there are iterations of this I think there should be a revisit.

Manny Hidalgo stated that this is part of a national movement and the thinking behind support local first business is franchises have huge marketing budget, access to various resources.

Robert Zeender commented some franchises in Silver Spring are owned by local people.

### **Budget Reporting**

Jon Lourie reported that:

- At the last couple meeting there has been interest in having more quarterly information on the Urban District Operating Budget in terms of what the proposed budget is and what actual cost are so we are updated throughout the year. I took comments from Carmen and worked with Neal and Jennifer to come up with the proposed motion as follows: *The Urban District Advisory Committee request that quarterly budget updates be provided for the Annual Urban District Operating Budget and budget report be provided for major entertainment events. The quarterly budget updates should reflect actual cost and the variance between actual cost and the budget. An entertainment event budget report should be proposed two months prior to an event and any significant changes should be reported to the Committee as necessary with a final report issued comparing actual cost to budget after the event has concluded.* Neal Blake moved that the proposed motion be approved, 2<sup>nd</sup> Nettles)

Bob Middleton suggested that the Committee honor Gary's request and wait until a new Regional Director is on board so that he/she has an opportunity to come in fresh with exactly what it is we want Bob and Ernest where not at the last meeting and two other member are not here today. I suggest the statement just read by the Chair be circulated among all members to have an opportunity to read the statement and review the minutes and be prepared to present said request consistent with the new person arrival so he/she is on board.

After Committee discussion Neal Blake withdrew his motion and moved to table the Budget discussion until the March meeting.

### **Marketing and Special Events**

Susan Hoffmann reported that:

- The Marketing and Special Events report was in the packet on page 17. If the Committee has questions she would be happy to answer.

### **Urban District Report**

- Yvette Freeman reported that the Urban District Report was in the packet on page 19. We have been working on the RFP for landscaping which will come out in early March. The scope of the RFP has not changed significantly and we are looking at with Wheaton, Long Branch and PLD about \$1 million dollars a year the one change we are making is that it will be a two year contract with three one year renewals.

### **Parking Update**

Rick Siebert reported that:

- Montgomery County parking garages now offer the option to pay for parking with any major credit card.

The garages are:

- Cameron/Second Garage, Silver Spring
- Wayne Avenue Garage, Silver Spring
- Town Square Garage, Silver Spring

For information about the location, number of spaces, and hours of payment for each garage, visit the [Division of Parking Management's website](#) or call the Montgomery County Department of Transportation Customer Service Center at 240-777-6000.

Garage 21 at the corner of Spring and Colesville located next to the construction of the new Hilton Hotel and we are still in the process of getting construction approvals through permitting services and then put out for bid the construction contract and expect to issue a task order on or about July 1. We have some issues with coordination of United Therapeutics who are a little concerned about our major reconstruction garage given the fact they have their pharmaceutical laboratory so close by and we are in the process of working with them.

### **Director Report**

Gary Stith reported that:

- He has accepted a position as Deputy Director, Department of General Services, on all planning issues and special projects for the County in the Executive Branch. There will be an Acting Director assigned to the Regional Center in the interim until the County Executive has appointed a replacement.

Jon Lourie proposed to Committee members they write a letter of appreciation to Gary Stith. He has been at the Regional Center for fourteen years knows the history of Silver Spring and helped tremendously with downtown Silver Spring. It is the entire spirit of the Regional Services Center providing the outreach of County Government to local communities and you have embraced the spirit of that in your continued outreach to local communities in all these discussions and thank you very much.

**Motion:** (Lourie, Blake) the Silver Spring Urban District Committee agreed to write an appreciation letter for all the work Gary Stith has done for downtown Silver Spring.

**5:45 p.m. Meeting Adjourned**

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